

Stach
Jane Hall fund
Faxon
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COMMENTARY

THE TIME BOMB THAT EXPLODED IN CICERO

Segregated Housing's Inevitable Dividend

CHARLES ABRAMS

ON THE 18th of September, 1951, a Cook County grand jury, investigating the recent housing riot in Cicero, Illinois, handed down a curious indictment. Instead of indicting the hoodlums responsible for the vandalism which denied a Negro the right to live where he chose, it indicted the attorney for the National Association for the Advancement of Colored People who was defending him in that right.

MORE than four years ago (in "Homes for Aryans Only," May 1947), CHARLES ABRAMS first reported in these pages on the dangerous pattern of segregation in urban housing which was setting up rigid—not to say unconstitutional—compartments in the historic American melting pot, and preventing the contacts in school and neighborhood that had done so much to create a common national identity. In later articles (February and November, 1949) he showed that government agencies and government regulations were supporting this potentially explosive development. Recently, in Cicero, Illinois, the explosion occurred: an "all-white" community violently prevented the moving in of a single Negro, and nearly destroyed the apartment house which had rented him space. Mr. Abrams practices law, and teaches in the Massachusetts Institute of Technology and the University of Pennsylvania. He here tells what happened in Cicero (on the basis of materials gathered on a trip there made possible by the National Committee Against Discrimination in Housing), relates it to a dangerous national trend, and proposes a program to combat it.

Along with him, the owner of the house, her lawyer, and her rental agent were all charged with conspiracy to injure property by causing "depreciation in the market selling price." The right of a Negro to buy or rent a home, which is guaranteed by the federal Civil Rights Law of 1866, was thus declared to be null and void in Illinois.

For many, the implications of the riot and of the indictment were too ugly to be faced. The riot was variously held to be a nasty incident that doesn't happen too often, a wicked occurrence in a wicked city that is the haunt of Al Capone's former mob, an eruption provoked by "alien" Czechs and Poles who have not yet learned the American way of life, a teen-agers' lark that got out of control, a rumpus started by Communists—and it is not surprising that the grand jury added the interpretation it was all a "Negro plot."

Yet behind the Cicero affair lies one of the most disturbing, and what may yet prove to be one of the most widespread, violations of civil rights in American history. Its most ominous aspect is the growing use of legal processes to flout civil rights. The Cicero riot and the Cook County indictment are only the most recent phases of the development.

THE Cicero rioting started when a Mrs. DeRose, who owned a \$100,000 apartment house, got into a controversy with her

tenants and was ordered to refund a portion of the rent. Shortly after, it became known that she had rented an apartment to Harvey E. Clark, a Negro war veteran and a graduate of Fisk University. Movement of Negroes into white areas is nothing new in Chicago. But it was new in Cicero, which, like Dearborn (Michigan) and many similar communities, has successfully resisted Negro settlement.

When it was learned that a Negro was moving into the apartment house, a high Cicero official arrived to warn Mrs. DeRose there would be "trouble" if Clark moved in. The city, he said, could not be responsible for keeping order. Two policemen then came to tell Mrs. DeRose she could not "get away with it." At 2:30 P.M., on June 8, a moving van containing \$2,000 worth of Clark's furniture drove up to the house and was halted by the police. The rental agent was ushered out with a drawn revolver at his back. "At about 6 P.M.," reads his affidavit, "the Chief of Police of Cicero rushed out of the alley nearby followed by about twenty men and grabbed my arm." The Chief told him to "get out of here fast. There will be no moving into this building." . . . He hit me about eight times while he was pushing me ahead of him toward my car which was parked across the street. I was trying to walk but he was trying to make me move faster. When we reached my car, I opened the door and the Chief shoved me inside and said 'Get out of Cicero and don't come back in town or you'll get a bullet through you.'"

When suit was brought against the Cicero police through the NAACP, United States District Judge John P. Barnes, on June 26, enjoined the city from "shooting, beating or otherwise harassing Clark"—one of the most unusual injunctions in legal annals. "You are going to exercise the same diligence in seeing that these people move in as you did in trying to keep them out," said the judge.

Word was then passed along that there would be "fun" at the apartment house. Crowds gathered, tensions rose, and a rock smashed the window of Clark's apartment.

On Wednesday, July 11, some of the white

families in the apartment house, warned of impending trouble, stored their furniture and moved out. By dusk, a crowd of 4,000 cut the ropes put up by the police. Only 60 policemen were assigned to the scene. The uniformed policemen in front of the building stepped out of the way when the crowd moved forward; the plain-clothes men simply mixed with the crowd. Women supplied rocks from a nearby rockpile which were hurled at the windows while policemen cracked jokes with the mob and made anti-Negro remarks. Flares, bricks, and burning torches were thrown into the house, radiators and walls were ripped out, furniture thrown from the windows, and trees torn up by the roots to be burned as the mob cheered. While this was happening, the Mayor and Chief of Police were "out of town."

A few state police and twenty deputy sheriffs under County Sheriff John E. Babb, who arrived Wednesday evening, were at the scene, but little was done to disperse the mob. When the sheriff's deputies asked Cicero firemen to turn hoses on the crowd, the firemen refused to do so without orders from their lieutenant, and he too was unavailable. After \$20,000 in damage had been done to the building, Babb requested the Governor to send in the state militia. The militia finally pushed back the mob at bayonet point, while four militiamen were felled, and only their superb discipline kept the riot from turning into a massacre.

In the end, 19 persons were injured and 117 persons from Chicago and Cicero were arrested. After it was all over, the town council president made a simple explanation—"outsiders invaded our town."

THE Cicero riot received more notice in Chicago than usual. For two days the news had been played down and in fact most Chicagoans saw the riot on television before they read it in their newspapers. But when the Governor called out the National Guard, the news broke all over the country, forcing the grand jury to investigate. The jury's bizarre indictment then again made the headlines and protests by the press moved

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the district attorney to drop the indictment against the NAACP lawyer. (The other indictments were dropped October 22.) All this adds up to more "action" than is usually given these matters in Cook County.

What has been forgotten is that the Cicero riot is only the most recent of a series in Cook County. The other riots have either not been publicized or have been reported like local fires. From July 1949 to August 1951, there were three such riots in Chicago, and there have been six altogether since 1945. In addition, since 1949 there have been more than a hundred lesser "incidents" in the Chicago area: bombings, fires, or organized assaults against Negro families, one of these by a hit-and-run incendiary who started a fire that cost ten lives. Another "incident" was the bombing of the home of Dr. Percy Julian, co-discoverer of cortisone, a few days after the Cicero riot.

A major outburst, in fact, occurred only a few days before the Cicero riot and it never broke into the headlines. It began toward evening on Sunday, July 1, when Leon Yonik, publisher of a local Lithuanian newspaper, gave shelter to three Negro delegates to the "American Peace Crusade," a Communist front organization then meeting in Chicago. A crowd gathered, the Negroes were spirited out the back door by policemen, a co-editor of the newspaper was slugged, and rock-throwing began. The windows in Yonik's house and the plateglass in his newspaper shop were shattered. The cops stood around the house three or four feet apart, ducking the missiles as the crowd cheered. Only a sergeant was in command. Next morning a false fire alarm was sounded and the mob rushed in with the hook and ladder. One of the men leaving the house, which was being "protected" by the police, was assaulted in their full view. When he visited the police station to sign a complaint, he was jailed. When arrested rioters came up for trial, policemen didn't show up as witnesses.

The Chicago Council Against Racial and Religious Discrimination called the police action "a poor job of mob diagnosis, mob dispersal, force deployment."

IN November 1949, Aaron Bindman, a union organizer, invited some Negro labor representatives to his new home on Peoria Street. Quickly the rumor spread that Negroes had bought or rented the building. A crowd formed, but as usual only a small police detail was assigned. The first rock was thrown by a twelve-year-old boy and a general barrage followed. There were no policemen on the side of the street from which the stones were being thrown; as each stone sailed through the air, the crowd of about two hundred cheered. The next night the crowd gathered again and moved toward the house, crying, "Let's get them out," "Burn the house," "Communists," "Get the sheenies." Children cried, "Lynch 'em!" Other outbursts were aimed at the University of Chicago.

The small crowd could easily have been dispersed, but police sympathies were again with the mob. Soon gangs of young men organized, and the pattern was set for a more general outbreak. A few days later the crowds had increased to about two thousand, and gangs roamed the streets beating up Jews. Two University of Chicago students were set upon by the mob, beaten, and their car overturned. The men who came to the police station to bail out mob victims (arrested for fighting back!) were soundly pummeled in front of the station, while another student vainly begged the officers inside to help them. Another man, on whom the mob found a B'nai B'rith card, was mauled. Outsiders who visited the area were attacked because they were "strangers." One policeman told a *Chicago Daily News* reporter that he thought it was all right to beat up certain people "because they were Communists." "How do you know they were Communists?" the reporter asked. "Because they were Jews," answered the policeman.

Finally, Mayor Kennelly ordered his police to be more diligent in dispersing the crowds; after five days of rioting 200 policemen were sent into the area, some 70 persons were arrested, order was restored. Thirteen persons were reported injured and many others took their bruises quietly home.

Pressed by social agencies and warned that Jewish veterans might organize for reprisals, Mayor Kennelly said that thereafter there would be a new crowd-dispersal policy.

It would only be repetitive to recite the details of the other riots since 1945. One required 1,500 policemen to quell it.

The immediate cause of the flare-ups differs in each case, but the underlying cause is always the same: Negroes try to move out of their overcrowded slum areas and are met with violence, or the presence of an occasional Negro is interpreted as signaling an influx. Groups are permitted to gather around the target; they draw larger groups, including the subnormal, the prejudiced, the emotionally immature, and youth seeking "fun." Rumors begin to fly, emotion rises, order breaks down, and normally law-abiding citizens become part of the mob action. Frustrated by not being able to get at the target, the mob looks for a scapegoat upon which to vent its aggressions—Negroes, Jews, Communists, strangers, intellectuals. In all the outbreaks but one, police showed no willingness to protect the Negroes in their rights, and in some their forces were even deployed to let the victims take their beatings. The pattern is now a commonplace in Chicago, but the potential for miniature race wars exists in other parts of urban America.

THE migration of Negroes—and of Mexicans and Puerto Ricans—into the large American cities is due to the increasing need in our expanding economy for more unskilled and semi-skilled labor than presently exists in the urban labor pool. Opposition by "natives" to "newcomers" is nothing new in the American scene. The same Bohemian, Czech, and Polish groups that now resent Negroes moving into Cicero once sent earlier-established Americans into paroxysms of fear. Ultimately some pattern of equilibrium, or at least of "coexistence" between earlier and later comers was established. In some places the poorer classes lived right near their social and financial "betters" (much as Negroes did in the South); in other areas they followed the pattern of ear-

lier immigration centers like New York, and settled in voluntary ghettos, moving out as social assimilation occurred to mingle with other American groups or to establish new "ghettos." Starting in the 1920's, many new middle-class neighborhoods developed a policy of "exclusiveness," fencing themselves around with restrictions as to who might or might not live in them, and thereby intensified ghetto formations by those excluded. During this period more than a third of our present urban housing supply was erected.

In most of our industrial cities today, the Negroes constitute the latest "wave of immigration." But they are at a special disadvantage. They have come in large numbers, taxing the absorptive capacities of the cities they entered. Too underpaid to rent decent quarters and barred from getting shelter within their means, they have crowded in with others and suffer the ravages of tuberculosis and infant mortality at two and a half to three times the city averages. They have come in great waves and no sooner did one wave settle down, secure jobs, find homes, and establish communities, than another wave surged in, reopening old sores and renewing resentment. Though industry needed them and hired them, it was never interested in their housing problems. Nor was government concerned except through a small public housing program.

Yet while all these factors might have made the progress of adjustment more difficult, they need not have brought increasing violence. In fact, while tensions were increasing in housing, gains were being made in other areas through passage of fair employment practices laws, the abolition of segregation in the armed forces, the entry of Negroes into Southern universities—all without leading to violence.

The difference, however, may be accounted for by the fact that with regard to higher education in the South, employment in the North, and segregation in the armed forces, there were influential agencies (the Supreme Court, a few local officials, the military hierarchy) which provided the moral leadership for the advancement of equality. The influ-

ential agencies in housing temporized with, or supported, segregation and discrimination.

Indeed, a campaign of hostility and opposition to Negro mobility was allowed to get under way and intensify tension. It received its earliest rationalization from real-estate writers, developers, or boards, who since the 1920's have opposed heterogeneous living patterns and have contended that the scale of social desirability should be frozen in American neighborhoods. Some thought only Negroes should be segregated, some that "foreigners" also should be segregated, while a few believed in enforcing religious homogeneity as well.

THERE was of course no conscious "plot." But the real-estate and home-building group played an important role in supplying the intellectual justification for housing prejudice; they are a powerful lobby locally and in Washington, and, since the expansion of federal housing programs, were able to get at least one important housing agency to incorporate their ideas in its policy.

In the influential texts on real estate and housing written since the 1920's, one can find such items as:

(1) A listing of the order of racial "desirability," with the English, Germans, Scotch, Irish, and Scandinavians at the top, Jews, South Italians, Negroes, and Mexicans at the bottom.

(2) A statement by a former chief economist for the Federal Housing Administration to the effect that: "A family should never live in a neighborhood with those in a higher or lower income scale than its own."

(3) A warning to home owners, written by the "dean" of American appraisers, against "any deviation from the typical" in selecting tenants by race, color, nationality, income level, or social position.

(4) A declaration that: "The colored people certainly have a right to life, liberty, and the pursuit of happiness, but they must recognize the economic disturbance which their presence in a white neighborhood causes and forego their desire to split off from the established districts where the rest of their

race lives. . . . Segregation of the Negro population seems to be the reasonable solution of the problem, no matter how unpleasant or objectionable the thought may be to colored residents."

(5) An assertion that all foreigners should be segregated and that only citizens who are "100 per cent American" are good for residential neighborhoods, which will become "anemic and even diseased if polluted with a large percentage of unassimilated aliens, who neither understand nor are in sympathy with American ideals and standards."

In a recent article in the *Appraisal Journal*, the chief appraiser for the liquidation operations of the General Services Administration asserts that real estate values are threatened, not only by Negroes, but by "people of foreign birth" and their children as well.

These and similar biases were written into the "Code of Ethics" of the National Association of Real Estate Boards and into the codes of local boards throughout the country. Thus, discrimination against minorities became a tenet of real estate "morality." It is true that the national code was modified somewhat last year, but the local codes still carry the old rule. As a result, American neighborhoods are at present being erected almost without exception as homogeneous units. The more races excluded, the more exclusive the area is considered.

WORSE still, federal government agencies have lent official sanction to bigotry in housing. When the official underwriters' manual of the Federal Housing Administration, the dominant influence in the house-building market since the mid-1930's, came to be written in 1935, prevalent real estate standards were made part of official government policy. This federal agency not only warned against mixing "inharmonious races or classes," but advocated racial restrictions, physical barriers, and racial covenants to keep the "undesirables" out, insisting on "homogeneity" before it would insure mortgages. In one section of the manual, proximity to pig-pens and to unwelcome races

were given equal weight as objections to the issuance of mortgages. FHA instructed its agents that one of their responsibilities was the "prevention of infiltration" by "inharmomious racial groups" and "adverse influences." The stability of communities, it declared, depended upon occupancy by the "same social and racial classes to which they are accustomed." When the new federal urban redevelopment program was in preparation, two Chicago realtors, retained as consultants, specified in a confidential report that Jews be segregated as well as Negroes.

FHA thus operated to perpetuate the vicious circle that had been started in the 1920's: because new neighborhoods began to exclude the new immigrants they were forced to live under conditions of intolerable overcrowding, and they exerted the pressure of their numbers on the surrounding areas. And when a member of one of the excluded groups managed to get into one of the excluding neighborhoods, the original residents would fear being "inundated" or having the value of their property drop. But had they not erected dams in the first place, had they allowed the composition of the neighborhood to reach the natural proportions set by economic circumstances, the problem of "inundation" and declining property values might not have arisen.

The most fruitful approach to a solution of this problem today would be through new building that would serve as an escape valve for the population pressure of the segregated minorities. But neither Cook County, Illinois, which has enough lots to accommodate 4,000,000 families, nor Chicago, with enough lots to house 500,000 families, find themselves capable of building new homes for a fraction of the 100,000 Negro families that need them. The only hope for creating new unsegregated housing is a large-scale public housing program or a different FHA policy—but public housing has been held down to a trickle by claims that it means "Negro infiltration," and today almost all FHA developers build "for whites only." As for city officials, most won't even talk about the problem—it's too loaded with political dynamite.

Actually, in both Chicago and Detroit the very public housing program that would seem to offer some hope to minorities has been perverted into an instrument for ousting them from their present overcrowded homes. Under the pretext of "slum clearance," 50,000 Chicago Negroes face wholesale eviction. The city officials have obstinately refused to build on empty lots—this would let Negroes into white areas. So the net effect of "slum clearance" in the Chicago area is to reduce the number of housing units available to Negroes.

IN THE last few years, some progress has been made in breaking down segregation in a few cities. But neither the Supreme Court's ruling against the enforceability of restrictive covenants, nor FHA's decision two years ago to modify its manual, has been able to undo the damage already done throughout the country. A whole generation has been reared on the propaganda of "homogeneity," and "all-white, non-alien" neighborhoods exist from coast to coast. Many of them are still covered by restrictive covenants or substitute devices.

As things now stand, the effect of Negroes moving into new areas is that home-owners—educated by the real estate profession to believe that their houses will collapse in value if a single Negro moves nearby—offer their houses in panic and actually do bring down selling prices. Home-owners in other areas, seeing the decline of values through panic sales, form "neighborhood improvement" associations to keep the "intruders" out. More than a hundred such associations exist in Chicago and are a powerful force in the City Council. In Detroit these organizations have federated and become one of the most potent political organizations in the area. The ethical standards of business conduct in these cities have been neatly inverted and the inalienable right to buy and sell is now viewed as a conspiracy against the general welfare.

AN EDUCATED public opinion at the start might have halted the tide of prejudice and violence. But, both in Chicago and De-

troit, civic groups after the great riot of 1919 asked the newspapers to play down "racial news." They felt that sensational reporting by some of the papers might spread whatever violence occurred, give dangerous publicity to certain hate groups who had been capitalizing on the home-owners' fears of Negro "invasion," or rouse the Negroes to reprisal. Today it is argued that making a fuss about such incidents plays into the hands of Russian propaganda, which indeed it does. But the net result of the self-censorship of the press is that far more coverage is being given to these outbursts in the European and Asiatic press than in our own, so that they remain "secret" only from some Americans: three weeks after the Cicero riot, Governor Dewey was forced to apologize for Cicero to a Singapore audience that had read the story on the front pages of their press.

Meanwhile a vested political interest is built up in race prejudice; anti-Negro and anti-Semitic rabble-rousers flock in to supply an ideology; and unscrupulous politicians attempt to ride into power by appealing to race hatred. And while respectable newspapers are silent out of a feeling of responsibility, another section of the press has fanned anti-racial feeling with complete freedom. Thus in Chicago on June 9, 1947, the *Calumet Index*, an influential suburban newspaper, in an editorial headed "Protect Your Homes," wrote: "Every white neighborhood in the city and state will find itself defenseless against the wanton destruction of property value by a Negro minority intent upon forcing itself upon white neighbors." The *Index* then published a flood of letters of which the following by a policeman is typical:

"I'm in a position to know the Negro intimately, being a policeman. . . . They have you bluffed and get bolder as the years go by. . . . If we have to have a showdown with them to protect our homes and families, I'm in favor of it. . . . He'll back himself up with a knife or other deadly weapon. . . . I hope the whites some day soon will organize and stop this menace to our way of living."

Another letter dated June 16, 1947, began:

"Sister, if you had heard your daughter or

your little granddaughter scream as I heard a little girl scream recently, who was receiving a treatment of your 'brotherhood of all men' from a Negro. . . ."

Shortly after this flood of letters, a major riot occurred in the Fernwood area.

This type of journalism is not exclusive to the *Calumet Index* or to Chicago. In Detroit, a string of suburban newspapers owned by Floyd McGriff champions the anti-Negro "civic associations," and keeps public temper at a high pitch by inveighing against "Reds," "Negroes," and "socialist housing." In Miami, a few weeks ago, the responsible *Miami Daily News* accepted a half-page ad announcing an "Indignation Meeting" to formulate plans for a "mammoth motorcade" to prevent "the infiltration of the colored race" into a private housing project abutting a Negro area. A dynamiting shortly thereafter caused \$200,000 in damage.

In the last Detroit mayoralty election, the backbone of Mayor Cobo's support was the "neighborhood improvement" associations, while his defeated opponent found himself linked with "Negroes and Communists." In nearby Dearborn, Orville L. Hubbard campaigned openly on the racial issue and was elected; Hubbard's boast was that he kept, and will keep, Negroes out of Dearborn.

IN SUM, Cicero is no isolated incident, chargeable to local conditions or to some single criminal segment of the population; it is only the most prominent symptom of a major disease in the American scene. The jury that indicted the landlady, her lawyer, her agent, and the NAACP lawyer was not corrupt. Nor were the rioters all vandals or gangsters. They had the sanction of their elders, of the community, of the police, and of parts of the press. The police who tried to prevent the Negro family from moving in undoubtedly believed they were acting in the interests of their community. When the mayor and chief of police "couldn't be found," it was because they knew that if they stopped the riot they would lose any chances of re-election. The sheriff of Cook County was politically embarrassed when he

tried to enforce the law. Even the Governor who courageously called out the militia may have to pay a price in votes for his action. Is it not the plain fact that for the local community, segregation—and breaking the law to protect it—represents the prevailing morality, the “higher law”?

The recent decision by United States Attorney General McGrath to hold a federal grand jury investigation into the Cicero riot may be a beginning in the major effort required to tackle this problem. However, it is likely that the standards of any jury trying the culprits of Cook County will be no higher than that of the citizenry from which it is drawn.

What is called for is a full-scale drive to change both the conditions of segregation and the attitudes of prejudice that breed under these conditions and help sustain them.

THE first thing is to keep the Cicero pattern from spreading to other areas, and this requires review and action at the highest Washington level. If we are to meet our housing needs in the next twenty years, we shall have to build housing equal to half our existing supply. Most of this will be built with the help of FHA, the Housing and Home Finance Agency, or the Federal Home Loan Bank System. On the government itself therefore devolves the chief responsibility for deciding whether the future neighborhoods of America will be democratic communities hospitable to all classes and groups—or be like Cicero and Dearborn.

Furthermore, there must be a direct moral and educational attack at various levels on the social attitudes which support the “all-white” Ciceros throughout the country. For it is not only the residents of these communities themselves and their leaders who are at fault. The members of Chicago’s Union League club, who refused to admit Dr. Percy Julian to a luncheon of scientists, must share the blame for the moral climate of Cicero

and Chicago. So must Mayor Kennelly for failing to assert leadership in Chicago. So must the industrialists who recruit workers from minority groups but take no responsibility for seeing that they are housed. So too must the private builders who attach the free and pernicious label of “exclusive” as a means of selling their houses. And so too must FHA, until it bars federal mortgage insurance to builders who discriminate in favor of one race as against another.

Further, “slum clearance” must be stopped until there is an adequate supply of houses available for the displaced families. (It is obvious that the solution of America’s housing needs will not be satisfied by tearing down more houses occupied by minorities than are being built.) Simultaneously, a comprehensive program must be launched in which housing will be supplied on the basis of need, not race or color. The defense housing program can make a start in that direction, but a long-range program is needed as well.

Lastly, the creation of new non-segregated communities is itself an essential step in changing the attitudes which supply the fuel for race riots. In New York City, Pittsburgh, Philadelphia, Seattle, and Portland (Oregon) housing projects involving more than a billion dollars in investments have integrated Negroes and whites successfully. Negroes and whites live side by side in four hundred million dollars of public and private projects for middle-income families in New York City. Numerous studies have demonstrated that real estate values do not decline simply because Negroes or other minority groups move into an area.*

In short, the race problem in housing will not be resolved by pious preaching of civil rights by government or community leaders while the very environments that frustrate these rights are being created under their noses. Unless the issue is met by a full-scale program of building, by public education, and by the support of top-level officials, prejudice and political power will continue to move hand in hand to reinforce the pattern of racial lawlessness that is now a spreading blight upon the American scene.

*For a more extended discussion of this thesis, may I refer the reader to “The New ‘Gresham’s Law of Neighborhoods’—Fact or Fiction,” in *The Appraisal Journal*, July 1951, by the writer.